

TM (C1)

CARRIER PERFORMANCE (ERT) (see NOTE)

and alternate carriers selected for traffic subject to these rules will be responsible for providing fully satisfactory service as described in this rules publication. Performance will be measured in one-month reporting periods from each shipping location. Documenting and addressing carrier service failures are the responsibility of the consignor or Users' Group. The Users' Group decides when failure to meet the standards in this rules publication constitutes a service failure and warrants action. While the Government reserves the right to immediately remove a carrier for a service failure, i.e. service which fails to meet the service standards below, the following procedures will normally be followed:

a. Procedures for Addressing Carrier Service Failures:

(1) Upon observing a service failure(s), the consignor or Users' Group will document the performance problem(s) and issue a Letter of Concern to the carrier in an attempt to resolve the problem(s). The letter will advise the carrier that it has ten (10) working days from the date of the letter to provide the shipping activity with the reasons for the service failure(s) in writing, and identify actions taken to preclude recurrence of the failure(s). The letter will also advise the carrier that a recurrence of the same type of service failure(s), occurrence of another service failure(s), or failure to respond to the Letter of Concern will result in a Letter of Warning. If appropriate, the consignor or Users' Group will provide the carrier with a required fix date and document any discussions or meetings with the carrier.

(2) If the service failure(s) discussed between the consignor or Users' Group and the carrier is/are not corrected within the ten (10) days (or by the fix date) or upon occurrence of an additional service failure or if the carrier does not respond to the Letter of Concern, the consignor or Users' Group will issue the carrier a Letter of Warning. This letter will reference the previous Letter of Concern and any discussion/meeting with the carrier, specify the service failure(s), and inform the carrier that any recurrence or occurrence of another service failure or failure to make required corrections immediately will result in the removal of the carrier from the traffic in question. Copies of all Letters of Concern and Warning will be forwarded to HQMTMC, ATTN: MTOP-QEC.

(3) Upon observing any such recurrence or occurrence of any type of service failure, i.e. third service failure:

(a) The consignor or Users' Group will prepare a letter to HQMTMC, ATTN: MTOP-QEC, requesting the carrier be removed from the traffic. The request will specify the service failures and will enclose all supporting documentation. Upon receipt of such a request, HQMTMC will immediately prepare and forward a Letter of Removal to the carrier. The letter will specify the service failures and specifically designate the traffic (lane, region, point) in question. HQMTMC will coordinate removal dates and effective dates of award of traffic to alternate carriers with the consignor or Users' Group as applicable.

(b) DLA consignors will prepare a Letter of Removal and forward it to their respective district/region office requesting the carrier be removed from the traffic. The letter will specify the service failures, specifically designate the traffic (lane, region, point) in question, and enclose all supporting documentation. If the district/region office concurs with the request, it will coordinate a removal date with HQMTMC (MTOP-T-ND) and forward the Letter of Removal to the carrier. An advance copy of the Letter of Removal will be faxed to HQMTMC, ATTN: MTOP-QEC, telephone (703) 681-6292/fax number (703) 681-8478 and HQ DLA, ATTN: MMDTT, telephone (703) 767-3638/fax (703) 767-3628.

(4) Poor performance and removal from any lane or segment of traffic governed by this rules publication may subject the carrier to removal from all guaranteed traffic held by the carrier.

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b. Receiving activities should monitor performance of carriers delivering to their activities and report any service failure to shipping activities for their consideration, in addition to documenting them (when applicable) on Transportation Discrepancy Reports (SF 361) in accordance with AR 55-38. Regular communication between shipping and receiving activities is key to ensuring all aspects of carrier performance are adequately monitored and appropriate action is taken.

c. Service failures not addressed in this rules publication or those of an especially serious nature should be forwarded immediately to HQMTMC, ATTN: MTOP-QEC.

d. In addition to conditions outlined in paragraph a(3)(a) above, carrier may be removed from traffic governed by this rules publication should any of the following occur:

(1) A HQMTMC Carrier Review Board (CRB) action prohibits the carrier from handling DOD freight of the type covered by the solicitation.

(2) The carrier is disqualified nationwide or placed in a nationwide nonuse status.

(3) The carrier is disapproved under the HQMTMC Carrier Qualification Program. Carrier will be subject to any action taken by a HQMTMC CRB or any debarment or suspension by any higher Government authority.

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e. Withdrawal By Primary Carrier:

(1) After the acceptance of the Guaranteed Traffic award by the carrier, the Government will require that the selected carrier honor the award until the expiration date of the tender.

(2) Should a primary carrier withdraw from traffic award(s), it must provide not less than a 30-day written notice of the proposed withdrawal, via certified mail, to the shipper and HQMTMC, ATTN: MTOP-QEC and MTOP-T-N. The notice must contain the reasons for withdrawing. The 30-day notice will begin on the first working day after receipt of the written notice by HQMTMC. In the event the carrier does not provide 30-day notice, the carrier is liable for all excess transportation costs of charges for cargo moved during the period for which the 30-day notice was not given. HQMTMC will offer the traffic to the next alternate carrier. If the alternate carrier declines to accept the traffic, additional alternate carriers will be offered the traffic until it is accepted. The carrier withdrawing is liable to the Government for the difference between its cost and the new carrier's cost.

(3) If the carrier is unable to complete the through movement of a shipment in a timely manner, the Government may take possession of the cargo and complete the movement to destination. The carrier shall protect and preserve the cargo until surrendered to the Government or its agent. The Government may, at its option, pay any charges necessary to obtain release of the shipment from the carrier's agents, subcontractors, or other third parties. The carrier shall be liable for all additional costs incurred by the Government which are in excess of those costs which would have been incurred if the carrier had maintained total through movement of the shipment.

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f. Carriers with a history of removals and/or withdrawals from guaranteed traffic may be removed from all traffic governed by this rules publication and/or referred to a HQMTMC CRB for possible disqualification from participation in future solicitations, other negotiated traffic, and DOD freight traffic movements in general.

g. Service Standards. Carriers awarded traffic subject to this rules publication will be required to meet the following standards, as well as satisfactorily comply with any additional service requirements specified in these rules:

(1) Accept 100 percent of the shipments offered.

(2) Acknowledge shipper movement requirements within the time frame and by the means specified by the shipper. Provide equipment within ERT(1) _____ hours from the time of request specified in the solicitation.

(3) Meet the required delivery dates of shipments moving under expedited service 100 percent of the time.

(4) Meet established transit times ERT(2) _____ percent of the time.

(5) Deliver tendered shipments intact and without loss and damage ERT(3) _____ percent of the time.

(6) Provide delivery reports to the shipper by the dates specified.

(7) Provide hard-copy proofs of delivery to shipper by the dates specified.

(8) Provide clean and odor-free equipment that is consistent with the type specified by the shipper as required.

(9) Provide exclusive use of vehicle as requested.

(10) Provide extra drivers as requested to meet expedited service requirements as requested.

(11) Maintain equipment pool as required.

NOTE: See also ITEMS 625, SATISFACTORY SERVICE STANDARDS; 630, SATISFACTORY SERVICE STANDARDS FOR TOFC SERVICE; and 755, SATISFACTORY SERVICE STANDARDS.

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